

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 80795 of 2023

Arising Out of PS. Case No.-125 Year-2020 Thana- MUFFASIL District- Aurangabad

Prince Kumar @ Chotu Yadav Son Of Rajendra Yadav Resident Of Village -
Mathurapur, P.S.- Kutumba, District- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Verma, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-01-2024 Heard Mr. Anirudh Kumar Verma, learned counsel
appearing on behalf of the petitioner and Mr. Arun Kumar,
learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Aurangabad Muffasil P.S. Case No.125 of 2020, registered for
the offences punishable under Section 414 of the Indian Penal
Code.

3. As per the allegation made in the FIR, a stolen
motorcycle was recovered from the possession of co-accused
Sunil Kumar.

4. Learned counsel appearing on behalf of the
petitioner submitted that due to enmity co-accused Sunil Kumar,
from whose possession the stolen motorcycle is said to be
recovered, has named the petitioner while he was in Police
custody, which has no evidencery value. From perusal of the

F.I.R. no ingredient of Section 414 of I.P.C. is made out against the petitioner. The petitioner has no criminal antecedent. The case of the petitioner is on similar footing of another co-accused namely Gunjen Kumar, who has been granted pre-arrest bail by this Court, vide order dated 28.07.2023 passed in Cr. Misc. No.40226 of 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, stolen motorcycle has been recovered from the possession of co-accused Sunil Kumar, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad/concerned court in connection with Aurangabad Muffasil P.S. Case No.125 of 2020, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

Ashishsingh/-
Chn/-

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